



# San Diego City Attorney **MICHAEL J. AGUIRRE**

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## NEWS RELEASE

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### **VICTORY FOR CITY AND TAXPAYERS, COURT ORDERS POLICE OFFICERS' ASSOCIATION TO PAY LAWSUIT DEFENSE COSTS INCURRED BY CITY**

**San Diego, CA:** A federal court ordered the Police Officers' Association (POA) to reimburse the City of San Diego for defense costs such as expert testimony and depositions that were incurred as a result of an unsuccessful pension lawsuit filed by the POA on August 9, 2005.

"It was a meritless lawsuit and the City of San Diego stands to recoup hundreds of thousands of dollars in defending itself," said City Attorney Michael Aguirre. "It's a victory for the City and taxpayers."

Last June, Federal Court Judge Marilyn Huff rejected all remaining claims brought in the lawsuit when it granted the City's motion for summary judgment, a legal procedure in which a court determines before trial whether or not there is any triable issue of fact or law. In this case, Judge Huff determined that the POA failed to establish that a triable issue of fact or law existed, making a trial unnecessary.

The decision followed Judge Huff's 71-page ruling, dated May 18, 2007, in which Huff dismissed numerous claims contained in the POA lawsuit alleging the City and certain officials, including City Attorney Michael Aguirre, violated the POA's federal constitutional rights by eliminating or reducing vested retirement benefits.

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